

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

GEORGE C. SWINYER Jr.,

Plaintiff,

v.

MICHAEL COLE *et al.*,

Defendants.

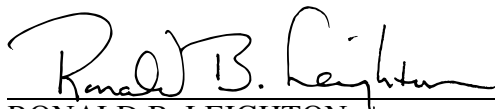
Case No. C04-5348RBL

ORDER ADOPTING  
REPORT AND  
RECOMMENDATION

The Court, having reviewed Plaintiffs' complaint, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) Plaintiff's Motion for Continuance [Dkt. #97] is **DENIED**.
- (2) The Court adopts the Report and Recommendation;
- (3) Defendants are entitled to summary judgement and this action is **DISMISSED WITH PREJUDICE**.
- (4) Clerk is directed to send copies of this Order to plaintiff, counsel for defendants, and to the Hon. J. Kelley Arnold.

DATED this 6<sup>th</sup> day of July, 2006.



RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE